

## Message Text

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PAGE 01 STATE 100403  
ORIGIN IO-14

INFO OCT-01 ISO-00 /015 R

66011  
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R 191937Z APR 78  
FM SECSTATE WASHDC  
INFO AMEMBASSY THE HAGUE 0000

C O N F I D E N T I A L STATE 100403

NESCO

FOLLOWING REPEAT PARIS 12338 ACTION SECSTATE INFO BUCHAREST  
CANBERRA GENEVA USUN APR 14.

QUOTE: C O N F I D E N T I A L PARIS 12338

NESCO

E.O. 11652: GDS  
TAGS: UNESCO, AORG, PORG  
SUBJECT: UNESCO: DUMITRESCU

REF: STATE 089488

1. IT WILL BE SOME TIME BEFORE PERMDEL CAN GATHER  
ALL INFO REQUESTED IN REFTEL, AND WE THINK DEPART-  
MENT WOULD BE SERVED BEST IF WE TRANSMIT THE INFOR-  
MATION AS WE OBTAIN IT.

2. FORMER LEGAL ADVISER CLAUDE LUSSIER IS OUT OF TOWN  
AT PRESENT, AS IS ACTING LEGAL ADVISER PERRENOUD. NEXT  
IN LINE IS BADERKO, A SOVIET CITIZEN, AND WE DO NOT  
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CHOOSE TO GO TO HIM FOR VIEWS ON DUMITRESCU. WE HAVE  
TYPED OUT THE DEPARTMENT'S QUERIES IN A SLIGHTLY  
SANITIZED FORM READY TO PRESENT TO PERRENOUD AS SOON  
AS HE IS AVAILABLE.

3. WE REMIND ALL ADDRESSEES THAT NATIONAL POLICIES  
IN THE UNESCO EXECUTIVE BOARD (EXBD) REFLECT THREE

PULLS: THE EXBD MEMBER, THE FOREIGN OFFICE OF THE EXBD MEMBER'S COUNTRY, AND THE COUNTRY'S DELEGATION TO UNESCO. THE US PERMDEL IN COMPILING THIS MESSAGE HAS CONTACTED MAINLY THE RESIDENT PERMDELS, ALTHOUGH SOME OF THEM ARE ALSO EXBD MEMBERS. IN OTHER CASES, THE EXBD MEMBER RESIDES IN HIS HOME COUNTRY, COMES TO PARIS ONLY FOR MEETINGS, AND WAS NOT AVAILABLE TO US THIS PAST WEEK. THE STRENGTH OF THE THREE FORCES INVOLVED VARIES FROM COUNTRY TO COUNTRY, AND WHAT THE PERMDELS SAY HERE IN PARIS, MAY OR MAY NOT, REFLECT THE POSITION THAT AN EXBD MEMBER WILL TAKE A FEW WEEKS HENCE.

4. VLADIMIR STEPANEK, SECRETARY OF THE EXBD, CONFIRMED THAT DUMITRESCU WILL BE ON THE AGENDA OF THE 104TH SESSION, FIRST IN A PRIVATE SITTING AND THEN IN A PUBLIC SITTING. HE SAID THAT LUSSIER HAD PREPARED A LEGAL BRIEF OF ABOUT 30 PAGES THAT WILL BE READY IN THE ENGLISH VERSION NEXT WEEK, AND WILL BE PUT BEFORE THE EXBD.

5. WE HAVE SPOKEN THUS FAR WITH TEN PERMDEL WHOSE VIEWS ARE SUMMARIZED AS FOLLOWS:

A. HUGH PHILP, EXBD MEMBER FROM AUSTRALIA, HAS LEFT PARIS AND RETURNED TO THE HAGUE, BUT WE SPOKE WITH CONFIDENTIAL

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AUSTRALIAN PERMDEL DAVIES AND DE LONGCHAMP TOGETHER). THEY FELT THAT PHILP OVERESTIMATES THE GOA'S WILLINGNESS TO LET HIM PUSH THE ISSUE. THEY DID AGREE, HOWEVER, THAT THE GOA PROBABLY WOULD SUPPORT SOMEONE ELSE'S INITIATIVE. QUESTIONS RAISED IN PARA 9 (I) OF REFTEL WOULD HAVE TO BE ANSWERED IN CANBERRA. (NEW AUSTRALIAN PERMREP WILL NOT ASSUME HIS FUNCTIONS UNTIL SEPTEMBER).

B. ALTHOUGH AUSTRIA IS NOT A MEMBER OF THE EXBD, WE CONSULTED WESTERHOF, THEIR PERMREP, SINCE AUSTRIA COULD REQUEST PERMISSION TO SPEAK DURING THE PUBLIC SITTING. HE NOTED THAT THE AUSTRIAN FOREIGN MINISTER HAS A GREAT INTEREST IN HUMAN RIGHTS, BUT HE PARALLELED THIS REMARK WITH A REMINDER OF AUSTRIA'S NEUTRALITY. HE SAID HE WOULD ASK VIENNA FOR ITS VIEWS.

C. CANADA, LIKEWISE, IS NOT A MEMBER OF THE EXBD BUT PERMREP AMBASSADOR BEAULNE SAID HE WOULD DO WHAT HE COULD TO HELP IN HIS CAPACITY AS AN OBSERVER, AND HE WOULD RECOMMEND TO OTTAWA THAT CANADA GIVE POSITIVE SUPPORT AT THE GENERAL CONFERENCE, IF THE ISSUE GOES

THERE FOR ACTION.

D. FRG PERMREP AMBASSADOR FABRICIUS STRONGLY RECOMMENDED LETTING THE MATTER REST FOR A YEAR. HE LIVED IN ROMANIA WHEN HIS FATHER WAS GERMAN AMBASSADOR THERE, AND FEELS HE KNOWS SOMETHING ABOUT THE ROMANIANS. HE BELIEVES FURTHER PUBLIC PRESSURE WILL HARDEN GOR POSITION AND MIGHT EVEN HAVE FATAL CONSEQUENCES FOR DUMITRESCU. ALTHOUGH WE RAISED THE ISSUE WITHOUT ADVANCE NOTICE OF THE SUBJECT WE WISHED TO DISCUSS, FABRICIUS CAME BACK HARD AND CLEAR WITH A WELL COMPOSED STATEMENT THAT MADE IT EVIDENT HE HAD ALREADY WORKED OUT HIS OWN POSITION. HE WAS VIGOROUS, ALMOST TO THE POINT OF BEING VEHEMENT, IN HIS OPPOSITION. CONFIDENTIAL

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TION TO FURTHER PUBLIC ACTION, AND IF DECISION WERE LEFT TO HIM, HE WOULD NOT ONLY NOT SUPPORT AN INITIATIVE, HE WOULD ACTIVELY OPPOSE IT. HOWEVER, HE IS NOT THE EXBD MEMBER -- THAT REMAINS DR. JENS PETERSEN, CURRENTLY HEAD OF THE FAR EASTERN DIVISION OF THE FRG FOREIGN MINISTRY. DEPARTMENT MAY WISH TO CONSIDER APPROACHING PETERSEN IN BONN BEFORE HE COMES TO PARIS AND SEE WHAT HIS POSITION MAY BE.

E. FRENCH EXBD MEMBER, AMBASSADOR VALERY, WAS NOT EVEN AWARE THAT DUMITRESCU WOULD BE ON THE AGENDA, AND SAID HE THOUGHT THE GOF WOULD HAVE NO ENTHUSIASM FOR AN INITIATIVE FOR FURTHER PUBLIC ACTION. HE SAID THAT IF HE WERE THE DESK OFFICER IN THE QUAI, HE WOULD SOUND A NOTE OF CAUTION IN THE MATTER. VALERY REFERRED TO THE UNCLEAR NATURE OF THE CHARGES AGAINST DUMITRESCU, AND INDICATED THIS WOULD BE A PROBLEM FOR THE GOF.

F. JAPANESE PERMREP ARAKI, WHO IS NEW HERE, HAD READ HIS DELEGATION'S FILE, BUT IT GAVE HIM NO INDICATION OF WHETHER OR NOT GOJ WOULD SUPPORT AN INITIATIVE ON DUMITRESCU. HE AGREED TO ASK TOKYO FOR INSTRUCTIONS.

G. WE SPOKE WITH NIGERIAN PERMREP IBEBULAM, AND HIS PERSONAL REACTION WAS THAT FURTHER PUBLIC PRESSURE WOULD BE COUNTERPRODUCTIVE. IBEBULAM SAID M'BOW HAD NOT REPEAT NOT ASKED THE AFRICAN GROUP FOR SUPPORT ON DUMITRESCU. IBEBULAM IS THE ASSISTANT SECRETARY OF THE AFRICAN GROUP AND WOULD KNOW ABOUT SUCH MATTERS. WE ASKED HIM TO TELL AGIOBU-KEMMER THAT THE ITEM WOULD BE ON THE EXBD'S AGENDA, AND ASK HIM TO TAKE IT UP WITH THE AFRICAN GROUP.

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H. SWISS PERMREP AND EXBD MEMBER HUMMEL SAID THE SWISS GOVERNMENT HAS NO FORMAL POSITION ON THE ISSUE, BUT IT WOULD SUPPORT WHATEVER EFFORTS IT BELIEVES WILL WIN DUMITRESCU SOME RELIEF. GOS HAS ALWAYS SUPPORTED ICJ, AND WOULD PROBABLY BACK EFFORTS TO SEEK AN ADVISORY OPINION IF THIS ACTION WOULD HELP DUMITRESCU. IN ANY EVENT, HUMMEL BELIEVES THAT THE 104TH EXBD WILL FOLLOW THE LEAD OF THE DIRECTOR GENERAL IN THIS MATTER. IF M'BOW REPORTS TO THE EXBD THAT THE ICJ IS A GOOD IDEA, THEN THE EXBD WILL SUPPORT HIM. IF M'BOW REPORTS THAT THE ICJ ACTION WOULD PROBABLY RESULT IN NO SOLUTION, THEN THE EXBD COULD NOT BE COUNTED ON TO SUPPORT THE ICJ TACTIC. HUMMEL ALSO SAID THAT M'BOW TOLD THE SWISS FOREIGN MINISTER THAT DUMITRESCU WOULD BE DISCUSSED BY WALDHEIM AND THE HEADS OF UN AGENCIES DURING A MEETING (WHICH APPARENTLY HAS TAKEN PLACE BY THIS TIME) IN LONDON. THE RESULTS OF THIS MEETING WOULD BE IMPORTANT IN SHAPING A DECISION WITH RESPECT TO DUMITRESCU.

I. UK DEPUTY PERMREP (PERMREP IS IN LONDON UNDERGOING MEDICAL TREATMENT) INDICATED THAT LEN MARTIN WILL DETERMINE HMG'S POLICY ON THIS ISSUE, AND THAT MARTIN IS CONCERNED THAT NOTHING BE DONE THAT WOULD REFLECT UNFAVORABLY ON EFFORTS HE AND M'BOW HAVE MADE THUS FAR. MARTIN WILL DO WHAT M'BOW WANTS DONE, AND WILL TRY TO HEAD OFF ANY ACTION OF WHICH M'BOW DOES NOT APPROVE.

J. MEXICAN PERMREP PRESIDENT ECHEVERRIA IS TIED UP IN THE MEETING OF EXPERTS ON THE NIEO UNTIL LATE APRIL 14, BUT HIS DEPUTY, LOPEZ ORTEGA, SAID SHE WOULD PUT THE MATTER TO HIM AS SOON AS SHE CAN. SHE DID KNOW THAT HE INTENDS TO TALK WITH THE ROMANIAN DELEGATION NEXT WEEK IN ORDER TO GET A FEEL FOR WHAT ACCOMMODATION THEY MIGHT BE PREPARED TO MAKE. SHE THOUGHT PRESIDENT

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ECHEVERRIA WOULD WANT TO WAIT UNTIL HE HAD TALKED WITH THE ROMANIANS BEFORE RESPONDING TO OUR INQUIRY.

6. ITALIAN PERMREP, CARDUCCI, IS IN ITALY THIS WEEK, AND OUT OF TOUCH.

7. WE DO NOT WISH TO IMPLY THAT M'BOW WOULD TAKE

LIBERTIES WITH THE LAW, BUT MANY OF THE LEGAL ASPECTS  
OF THIS CASE SEEM UNCLEAR. THIS BEING THE CASE, IF  
M'BOW MAKES A POLITICAL DECISION TO GO TO THE ICJ, WE  
WOULD THINK THAT HIS LEGAL COUNSEL WOULD INTERPRET THE  
UNCLARITIES IN SUCH A WAY AS TO PERMIT HIM TO DO SO.  
HEATER UNQUOTE CHRISTOPHER

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## Message Attributes

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